Section IV: REMARKS

It is respectfully requested that the changes as noted above in Sections I-IV be made to the present application.

In the above referenced Office Action, which was mailed on 11/21/03, the Abstract was objected to because it contained the words "in an exemplary embodiment" and the term "pages". The Abstract has herein been amended to delete the phrase "in an exemplary embodiment" and also to clarify the term "pages" thereby obviating the stated objection. As herein amended, the Abstract is submitted to be in condition for allowance.

Next, the title was objected to as not being descriptive. The title has herein been amended to be more descriptive, i.e. "Aligning Applications for System Support Code". As herein amended, the title is submitted to be in condition for allowance.

Next, the use of the terms "JAVA" and "JAVASCRIPT" were noted, and it was stated that the terms should be capitalized whenever they appear and accompanied by generic terminology. It is submitted that trademark law requires only that trademarks be set apart from surrounding text. This is usually accomplished by using an initial capital letter in the trademark. The applicant has gone even further by using the designation "TM" (see pages 2, 5 for example). Also it is generally suggested, albeit not required, to use a generic term in association with the first usage of a trademark in a document. From the specification at the bottom of page 5, it is clear that the terms "JavaScript 1.2" and "Java" are "programming languages" (page 5, lines 26-27). In view of the use of "programming language" as the generic noun which is modified by the proper adjectives, i.e. trademarks "JavaScript 1.2" and "Java 1.2", it is submitted that applicant's use of the

noted trademarks is not only proper but indeed exemplary.

Next, claims 11-14 were objected to as being of improper dependent form under 35 USC 1.75(c). As herein been amended, claim 11 has been modified to now depend from claim 9 instead of claim 10 as originally written, thereby obviating the improper dependent form objection to claims 11-14. As herein presented, claims 11-14 are now believed to be in condition for allowance under 35 USC 1.75(c).

Next, claims 5, 6 and 11-14 were rejected under 35 USC 112, second paragraph as being indefinite. This rejection of claims 11-14 is similar to the rejection under 35 USC 1.75(c) above and the amendment herein made to claims 11-14 is submitted to also obviate the rejection of claims 11-14 under 35 USC 112 second paragraph. Claim 5 was rejected under 35 USC 112 second paragraph because it was stated that it is unclear what the term "application screen" meant. The application screen means simply a displayed screen which is generated by an application. This term is discussed as numeral 403 in Figure 4 and also in the specification beginning on page 7, line 9. It is therefore submitted that the meaning of the term "application screen" as a screen display generated by an application is clear from the specification and drawings as noted, and that claims 5 and 6, as well as claims 11-14 as herein amended, are allowable under 35 USC 112 second paragraph.

Next, claims 2-4 and 7-13 were rejected under 35 USC 112, second paragraph, for being incomplete for omitting essential steps. It was alleged that the omitted essential step is the step of checking to determine if a feature is correctly displayed. This rejection is respectfully traversed. It is initially noted that the step of checking to determine that a feature is properly

displayed is well known in the art and may be accomplished in any of many known methods including a visual inspection as noted by the Examiner as well as an electronic comparison methodology in which a mapping of a proper display is compared with a mapping of a displayed feature as it appears on a display screen. The present invention is not limited by the precise method by which it is determined that there is an alignment problem. The present invention deals with the solving of an alignment problem after it has been discovered. In accordance with the present invention, this is accomplished by separating navigational features from cosmetic features and separately modifying the features to conform to system support code. The step of checking for alignment may be done before the inventive methodology is applied or executed and therefore checking for alignment, in any of the many known methods of doing this, is not an essential step in the invention and not included in claims 2-4 and 7-13. Therefore, it is submitted that claims 2-4 and 7-13 are allowable under 35 USC 112, second paragraph as including all essential steps of the inventive methodology.

Next, claims 2, 4, and 7-13 were rejected under 35 USC 112, first paragraph as failing to comply with the enablement requirement. It was alleged that the specific method of "re-coding" is not included in the specification. That rejection is respectfully traversed. Claims 2, 4 use the term "re-coded to conform to said system support code. Claim 7 includes "re-writing said application software". As discussed in the specification, code is re-written or re-coded to conform to or be compatible with system support code. As is well known in the art and as specified in the application, the re-writing includes separating the navigational features from the cosmetic features and modifying the code that creates those features to conform to system support code. It is submitted that the act of re-writing code or re-coding code is

well within the knowledge of a programmer having ordinary skill in the art and that further specification of any particular set of steps in the re-coding of navigational features and/or cosmetic features of a software application are not necessary and that the step of re-coding of an existing software application may be easily accomplished by software programmers without undue experimentation. To the extent that the present invention is composed of known practices and methods, such as re-coding of an application program to conform to system support code, which are generally known to those skilled in the art, details beyond those shown in the flowcharts are not specified to any greater extent than that considered necessary as illustrated, for the understanding and appreciation of the underlying concepts of the present invention and in order not to obfuscate or distract from the teachings of the present invention. Thus, it is submitted that claims 2, 4, and 7-13 are allowable under 35 USC 112, first paragraph as being in compliance with the enablement requirement since re-coding is submitted to be within the skill set of software programmers.

Next claims 1-13 and 15 were rejected under 35 USC 102(e) as being anticipated by Massena et al (U.S. Patent 6,035,119, hereinafter referred to as "Massena"), and claim 14 was rejected under 35 USC 103(a) as being unpatentable over Massena in further view of Eldridge (U.S. Patent 6,094,721, hereinafter referred to as "Eldridge"). The above noted rejections are respectfully traversed. However, in order to further the prosecution of the present application, and without waiving any of applicant's rights to argue the allowability of the originally presented claims in a subsequent appeal or other proceeding in the event that the Examiner does not concur that the present amendment places the application in condition for allowance, applicant has herein amended the claims to place them in condition for

allowance.

More specifically, it is noted that the present application includes claims 1-15 with claims 1 and 15 being independent claims, and claims 2-14 being ultimately dependent from claim 1. Independent claims 1 and 15 have herein been amended to clarify that only when a server application code is not effecting a correct display of selected web pages on a user display screen, then application code providing navigational features is separated from application code used to provide merely cosmetic features, and each section of code is then modified separately to conform to the system support code installed on the user system.

Massena discloses a method for adding text and text-based components to a web page hosted on a server. Massena further states that through the use of OLE, the controls incorporate author-friendly capabilities including in-place editing, property sheets and persistence and that through the use of those controls, authors may automate the web page generation process and eliminate redundant coding. Massena therefore teaches away from the present invention. What the present invention does is generate redundant coding, i.e. coding that provides the same navigational features, that is compatible with or conforming to user system support code. This is almost totally opposite of what Massena teaches. Massena does not disclose, teach or even suggest separating navigational code from cosmetic code and modifying each section separately to conform to support code already installed on a user system. It is noted that providing a text-only alternative (page 8, line 3 of the Office Action) for web page displays is different from separating navigational code and cosmetic code since many text or hyper-text presentations are also navigational in nature. Thus to separate text from graphics is not the same as separating cosmetic code from navigational

code and the text-graphics analogy cannot be properly applied to anticipate or render obvious the specific function of separating navigational feature code from merely cosmetic feature code. Thus it is submitted, that Massena does not anticipate either one of the only independent claims 1 or 15, and therefore claims 1 and 15, especially as herein amended, are allowable under 35 USC 102(e) over Massena. Further, since claims 2-13 ultimately depend from claim 1 and include even further limitations as set forth in the individual claims, it is submitted that claims 2-13 are also allowable under 35 USC 102(e) over Massena.

With regard to claim 14, which was rejected under 35 USC 103 over Eldridge, it is noted that Eldridge discloses only a password-based authentication system and does not even suggest the total combination as presently set forth in claim 14 as herein amended. Further, claim 14 ultimately depends from claim 1 and includes all of the limitations of claim 1 as well as the further limitations of the intervening claims. These limitations as noted above are not disclosed in Massena and not provided by Eldridge. Further there is no suggestion in either Massena or Eldridge for a possible combination of the two references. It is submitted that all inventions can be broken down into incremental individual parts and each incremental individual part can generally be found in published references. However, where there is no teaching or suggestion in any of the references for the specific total combination of elements and relationships among those elements, and especially when cited references may even be incompatible with each other, it is submitted to be inappropriate use applicant's own disclosure as a recipe, to find piecemeal prior art references for individual claim elements, and then to combine those references in a manner disclosed only by the applicant and not taught or even suggested in the references, in order to reject applicant's own claims. It is therefore submitted

that claim 14 as herein presented is allowable under 35 USC 103(a) over Massena in view of Eldridge.

Next the Examiner provisionally rejected claims 1-4, 7, 8 and 15 under the obviousness-type double patenting doctrine over specified claims in a co-pending application. Applicant is willing to execute an appropriate Terminal Disclaimer to overcome this rejection upon receiving notice that the claims herein presented are allowable except for the double patenting rejection.

Thus, it is submitted that claims 1-15, as herein presented, are believed to be in condition for allowance, an early notice of which is hereby requested. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting the allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below. The Examiner's attention to this matter is greatly appreciated.

Respectfully submitted,

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